

**Notice of Allowability**

Application No.

09/898,483

Applicant(s)

AUSUBEL, LAWRENCE M.

Examiner

Harish T. Dass

Art Unit

3693

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/16/06.
2. ☒ The allowed claim(s) is/are 1-40 and 45-84.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## DETAILED ACTION

### *Allowable Subject Matter*

1. The following is an examiner's statement of reasons for allowance:

Prior art taken alone or in combination failed to teach or suggest the limitations of:

determining, based on the received bids, whether the auction should continue, and in the event that the auction will continue, sending to one or more bidders a revised price vector, and receiving, in the computer, further bids from plural bidders in response to the revised price vector and, in response to the further bids, as recited in independent claims 1, 12, 18, 24, 30, 45, 56, 62, 68 and 74.

Support for this limitation can be found in original specification page 3 line 12 to page 4 line 17.

**US 6,272,473** (Sandholm) discloses computer-implemented method for optimally selecting sets of items and associated bids in a combinatorial auction, receiving a plurality of sets of items having associated valuations, storing said plurality of sets in a data structure configured for searching based on the inclusion/exclusion of items, creating candidate allocations of said sets, said candidate allocations created by repeatedly searching said data structure for a set containing an item wherein successive searches exclude items already present in said candidate allocation, and

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selecting a candidate allocation comprising disjoint sets having an optimal combination of associated valuations.

**US 6,449,601** (Friedland, et al.) discloses a system for allowing remote bidders to participate by computer in a live auction conducted by a human auctioneer in the presence of on-site bidders where the auction console program providing an interface for a human proxy to communicate with the remote bidders in real time about the live auction. Real-time, live auctions comprise the auctioning of a sequence of lots. A lot may be a simple lot, composed of single good or service, or a choice or quantity lot, comprising a collection of goods and services that are auctioned together. Generally, a sequential inventory of the lots to be auctioned is prepared in advance and distributed to potential bidders in the form of a catalogue. However, the auctioneer generally has the discretion to change the sequence of lots during the auction, divide choice or quantity lots into smaller lots, or coalesce smaller lots into larger lots. Thus, during a live auction event, a bidder must monitor and quickly bid on a desired lot, while simultaneously tracking any changes in the sequence or groupings of goods and services offered.

**US 6,415,270** (Rackson, et al.) discloses a method for allowing a bidder to communicate with a multi-auction service to allow the multi-auction service to selectively place bids at remote auction services for a plurality of items, coordinating an auction for an item between a multi-auction service, a plurality of remote auction services, and a plurality of bidders, all of which are interconnected by a network.

**NPL-**

Bronfman et al. "An experimental examination of the Walrasian tatonnement mechanism" Rand Journal of Economics, vol. 27, No. 4 (winter 1996), 681-699 discloses a selecting of initial price from three possible vectors and price adjustment.

Rothkopf et al. "Computationally Manageable Combinational Auctions", Management Science, Vol. 44, No. 8 (Aug., 1998), pp. 1131-1147 discloses simultaneous auctions for situations such as the FCC radio spectrum auctions, in which the value of assets to a bidder depends on which other asset he or she wins.

Each of the prior arts taken alone or in combination failed to teach or suggest the above features recited in independent claims 1, 12, 18, 24, 30, 45, 56, 62, 68 and 74.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 571-272-6712. The fax phone

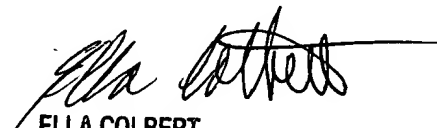
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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Harish T Dass  
Examiner  
Art Unit 3693

08/04/06

  
ELLA COLBERT  
PRIMARY EXAMINER